

May 1900

## SPECIAL NOTICE.

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The mass of material required to be handled in the Copyright Office has assumed large proportions. During the year 1899 more than ninety thousand titles for copyright were received and considered. Out of this number 86,492 actual entries were made. In the case of 5,423 applications the entries desired were not permitted by the copyright law and the fees were returned to the senders, by check in each case. Twenty-five thousand two hundred and eighty-three copyright certificates were written, revised, and mailed. More than sixty-eight thousand letters were received, and over one hundred and three thousand separate pieces of mail matter were sent from the Copyright Office during the year 1899.

One hundred and twenty thousand one hundred and forty-three articles (books, periodicals, musical compositions, maps, photographs, engravings, etc.) were received, acknowledged, dated, numbered, credited, and catalogued, more than one hundred and forty thousand catalogue cards being made for this purpose.

These figures give some idea of the amount of detail work required to be done in the Copyright Office. It is earnestly desired to handle all copyright matter with such care and method that the business intrusted to the office shall be executed with correctness and reasonable dispatch. The clients of the Copyright Office can aid in expediting their copyright business by acquiescing in the following suggestions:

1. Remit only the **EXACT FEE** required by law, as stated in the Fee Circular and "Directions."

2. Send no remittance unaccompanied by **TITLE** and proper application for copyright, with a clear statement of the name and address of the remitter, and how it is desired the money should be applied.

3. Send no remittance, or stamp, or stamped envelope for return postage.

4. Send no article for **DEPOSIT** without marking upon *the article itself* (not the wrapper) the name and address of the sender.

5. Send no article, such as a photograph, engraving, or chromo, without marking upon it a title or name, and a distinguishing mark or number, if more than one article bears the same title.

6. If a receipt for deposit is required, send a filled-out receipt form **WITH THE ARTICLE**, *not in separate envelope*.

7. Having complied with the law in sending two copies, *do not make duplicate deposits*. They are useless so far as protecting the copyright is concerned, and considerable time is lost in making the examinations necessary to determine that they are duplicates.

8. If a certificate is desired, send a 10-cent internal-revenue stamp, *uncanceled*, **PINNED TO THE APPLICATION**.

9. If no certificate is desired or paid for, *do not send any revenue stamp*.

( 10. **SEND APPLICATION, TITLE, FEE, AND, WHEN POSSIBLE,**  
**THE TWO COPIES IN ONE PARCEL.** By using the addressed franking )  
label no postage need be paid, and the parcel will not be subject to any limit of weight or size.

# DIRECTIONS FOR REGISTERING COPYRIGHTS.

## TO WHOM APPLICATION FOR COPYRIGHT SHOULD BE MADE.

All correspondence regarding copyright business and all articles forwarded in relation to copyright should be addressed: "THE LIBRARIAN OF CONGRESS, LIBRARY OF CONGRESS, COPYRIGHT OFFICE, WASHINGTON, D. C."

Address Librarian of Congress.

Addressed labels, which can be used for all copyright business without the payment of postage, can be obtained upon request.

Addressed labels.

*Please do not send any stamps or stamped envelopes for return postage*, as all mail matter sent from the Copyright Office, addressed to any part of the United States (including Alaska), Canada, and Mexico, is carried without postage under Government frank. Also, please do not send any remittance to pay for blanks or circulars of any kind, as they are furnished without charge upon request.

Do not send return postage.

Send no money for circulars, etc.

## APPLICATION FOR COPYRIGHT REGISTRATION.

It is highly desirable that each application for copyright entry shall be so made that the law is strictly complied with, so that no question can arise as to the validity of the entry recorded. Also, that the application shall be in such a form that the Copyright Office can, upon its receipt, promptly make the entries desired, and thus avoid delay through the necessity for correspondence.

Application for copyright.

To aid in accomplishing this, the Copyright Office prepares an application form, which should be used in all cases in accordance with the directions for filling it up, printed on page 4 of the blank. This form will be furnished upon request. The form is made as simple as the law will allow, and it is desirable that all the information asked for shall be supplied.\* The following information called for in the blank is necessary, and without it no entry of title can be made:

Application form.

1. The application must state the nature of the article for which copyright is desired—i. e., whether it is

Application must state nature of article.

\* See page 6 for wording of the application form.

a book, periodical, map, drama, musical composition, engraving, photograph, lithograph, chromo, or a painting, drawing, or statuary. The classes of articles named in the copyright statutes as subject to copyright are printed on page 4 of the application blank, and no article can be registered in the Copyright Office which can not be classed under one or the other designation used in the law to indicate the articles subject to copyright protection. Indefinite designations, such as "publication," "reproduction," "picture," "work of art," etc., should not be used. The term "chart" should only be used to indicate some form of map, and not in its ordinary sense in referring to printed matter spread out upon a sheet. Such articles should be described as BOOKS. The words "engraving," "cut," and "print" are understood to mean only a work of art, and the articles which they designate are subject to copyright registration in the Copyright Office, Library of Congress, only when they are articles sold or exchanged for their artistic value. The term "print" should not be used to designate something merely printed. The terms "design" and "model" should only be used to designate a distinctly artistic production. If only the words of a song are desired to be protected, the application should be made out for a "book;" if protection is desired for both words and music, application should be made for a "musical composition." Do not apply for entry of a "comedy," a "drama," or a "farce," or use any similar differentiating term, but in all cases use the statutory designation "dramatic composition."

State where article is printed or made.

2. When application is made for a book, chromo, lithograph, or photograph, it is necessary to state where the article is printed or made, or whether it is printed or made, or to be printed or made, in the United States.

State nationality of author.

3. It is not necessary to state the name of the author if it is desired to keep the book or other article anonymous, but the nationality of the author of any literary, musical, or artistic work is required in order to determine the fee to be charged, and also to determine whether the article, in the case of a foreign work, is the production of a citizen of some country to the subjects of which country the privilege of copyright in the United States has been extended.



In the case of an author who is a native of a foreign country but a *legal or permanent resident* of the United States, that fact should be stated, or the citizenship should be given as of the United States. If the author is of foreign nativity but has declared his intention to become a citizen of the United States, that fact should be stated.

Author of foreign nativity, but legal resident of United States.

4. An entry of copyright claim can not be made unless the application for such entry contains a distinct statement *in whose name* the claim of copyright is to be registered. The Copyright Office can not *infer* from the form of application who is the intended claimant. The application must distinctly state the full name and address of the person who claims to be the proprietor of the copyright. No entry can be made in a fictitious name, such as a *nom de plume* or pseudonym. The *real* name of the claimant should be stated. Not only does the law require that the real name of the copyright claimant shall be printed in the notice of copyright which it is obligatory to print upon each copy of any article copyrighted, but it also requires that the name of the copyright claimant shall be printed in the catalogue of copyright entries. If an author desires to preserve his anonymity and to avoid putting his name on record, he should arrange to have some other person make the copyright entry in such person's name as "proprietor," under an arrangement with himself as author. Entry can be made in the name of a firm, of a corporation, or trustee, or in two or more names as joint authors or proprietors.

State name of claimant.

Nom de plume or pseudonym.

Real name of claimant must be stated.

Firm or corporation name can be used.

5. The blank should be filled up to state whether the copyright is claimed as *author* or as *proprietor* of the work whose title is recorded.

State whether author or proprietor.

One application form will serve for a number of titles, provided the information called for on page 1 of the blank is equally applicable to each title. In case, however, the titles are typewritten on pages 2 and 3 of the blank, a space of  $1\frac{1}{2}$  inches should be left between each title, and no more be put upon each page than will allow this space, which is required for receiving the date and number stamp which pertains to each title.

One application will serve for several titles.

**FORM IN WHICH APPLICATION FOR COPYRIGHT  
REGISTRATION SHOULD BE MADE.**

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(Date.)

Application form. *Librarian of Congress, Washington, D. C.:*

*Inclosed find \$..... (a) in money order (b) fee for  
copyright protection which is claimed for a ..... (c)  
entitled..... (d). The publica-  
tion is to be printed or produced in ..... (e)*

(State the Country.)

*The author of this production is Mr. .... (f)*

*..... (g) ..... (h)*

*(If the author is living, state citizenship and residence; if dead, state nationality.)*

*The copyright protection is claimed as ..... (i) by  
Mr. ...., resident .... of*

*Mail reply to Mr. .... (l)*

*No. ...., Street, .....*

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Sign application here, with  
full name legibly written. ....

*Address: .....*

**DIRECTIONS FOR FILLING UP APPLICATION BLANK.**

Directions for ap-  
plication form.

(a) State the exact amount of fee inclosed with application;  
but if no money is sent leave the space blank.

(b) State the nature of the remittance; whether money order  
or bank draft.

(c) State here the nature of the article for which copyright  
protection is wanted.

[The articles specified by law as proper subjects of copyright  
are: 1, books; 2, maps; 3, charts; 4, dramatic compositions; 5,  
musical compositions; 6, engravings; 7, cuts; 8, prints; 9, photo-  
graphs; 10, photographic negatives; 11, chromos; 12, lithographs;  
13, periodicals; 14, paintings; 15, drawings; 16, statuary; and, 17,  
models or designs intended to be perfected as works of the fine  
arts. Articles which can not be classed under any of the above  
seventeen headings are not subjects of copyright and can not be  
entered.]

(d) Write the title of book or other article with care and  
fullness.

The law explicitly requires in addition the transmission of a  
PRINTED (OR TYPEWRITTEN) COPY OF THE TITLE, which must be  
sent with this application in order to insure entry of copyright.

(e) State COUNTRY in which the publication is to be printed.

(f) Give name in full; initials are not always sufficient for  
identification.

(g) State nationality.

(h) State place of present residence.

(i) State here whether copyright protection is claimed as  
AUTHOR, INVENTOR, DESIGNER, or PROPRIETOR.

(l) Write legibly the full name, and give full address, with  
name of place, street, and number.

## FILING THE TITLE.

The first step to be taken in order to secure copyright protection, according to law, is the transmission to this office of *a printed copy of the title of the book or other article.* (Revised Statutes, section 4956.)

Printed or typewritten title must be filed.

5 The copying of such title page into the record books of the Copyright Office becomes the recording of the claim of copyright. The requirements of the statute are definite, and it is incumbent that they shall be exactly complied with. If, therefore, no title is sent,  
10 no entry can be made.

Formal application for copyright should be made by filling up the application blank in accordance with the directions printed on page 4, and mailing it with the required fee, addressed: THE LIBRARIAN OF CONGRESS,

Formal application should be made.

15 COPYRIGHT OFFICE, LIBRARY OF CONGRESS, WASHINGTON, D. C. The application should always be accompanied by a title page. Preferably a *printed* title of the book or other article should be sent; or, in lieu thereof,

Printed title should be sent.

a third copy of the article. But if this can not be done,  
20 the title should be *typewritten* on page 2 or 3 of the blank, and should be worded exactly as it is proposed to print the title of the published book, or other article. The copyright law distinctly requires the filing of a "printed" title, and if a typewritten title is sent it is

25 accepted at the risk of the sender. *Written titles can not be accepted.* Sending two copies of a book or other article is not a compliance with the requirement of the law that a title and two copies are to be sent, but three copies will serve, if such copies bear the printed title.  
30

In the case of music, preferably the *printed title cover* of the music should be sent when this contains a complete title, with names of author of the words and composer of the music; or, in lieu thereof, a *third*  
35 copy of the piece of music. But if this can not be done, the complete title should be *typewritten* on page 2 or 3 of the blank. If several typewritten titles are to be sent with one application, they can be put upon pages 2 and 3 of the application blank, 1½ inches  
40 apart, so as to allow the date and number stamp to come between. Typewritten titles are accepted upon the sole responsibility of the sender.

Music titles.

Original works  
of art.

In the case of a painting, drawing, statue, statuary, or a model or design for a work of the fine arts, in lieu of, or in addition to the title, if there is one, a *description* is required to be sent, and a *photograph* to be filed. This photograph is required for identification, and should be a *photograph taken directly from the work of art*, and not a print, half-tone, photo-gravure, or any other kind of reproduction.

Title must be  
filed before pub-  
lication.

Great care should be taken to send the required title or description for record *before the publication* or distribution of any copies of the article which it is desired to copyright. The law states explicitly (section 4956, Revised Statutes) that "*No person shall be entitled to a copyright unless he shall, on or before the day of publication, in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, a printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, photograph, or chromo, or a description of the painting, drawing, statue, statuary, or a model or design, for a work of the fine arts, for which he desires a copyright.*"

#### DATE OF REGISTRATION OF TITLE.

Date of registra-  
tion.

All titles are recorded under the date of their receipt in the Copyright Office. This course is obligatory, and requests to give dates to the title records anterior to actual receipt of titles can not be acquiesced in. If, for special reasons, it is desired to have a title recorded on a certain date, it is incumbent on the person sending it to forward title and proper application sufficiently early to insure their receipt at the Copyright Office on or before the date named.

#### WORKS IN MORE THAN ONE VOLUME.

Each volume re-  
quires separate en-  
try.

In the case of works published in parts or volumes, the title of each part or volume should be recorded as if an independent work. Of newspapers, magazines, or other periodical publications, the title for each number, *distinguished by volume, number, and date*, is required to be filed as if it were a distinct work.

Each number of  
a periodical re-  
quires separate en-  
try.

Each variation  
requires separate  
entry.

In the case of engravings, photographs, or other articles published with variations, or music in different arrangements, a title is required to be recorded



for each variety, and must be so worded as to clearly differentiate the different editions or issues. Each pose, in the case of a photograph, requires separate entry under some distinguishing title, number, or mark.

Each pose of photograph requires separate entry.

Regarding the registration of periodicals, see page 15.

#### WHO CAN APPLY FOR COPYRIGHT REGISTRATION.

1. The *author* of any literary, musical, dramatic, or artistic work, who is a citizen of the United States or a subject of any country to whose citizens the United States has extended the benefits of copyright, is privileged to obtain copyright in the United States.

The author or his assigns can obtain copyright.

2. Any person to whom an author, *who has the privilege of copyright in the United States*, has transferred

Assigns of author privileged to copyright.

his copyright can apply for and obtain copyright entry as a "proprietor." 3. A translator, and the editor, compiler, dramatizer, or abridger of a work, may, under the copyright law, be considered as the author of the translation, the compilation, the dramatization, or the abridgment, and can apply for and obtain copyright registration.

Translator, editor, dramatizer, or compiler.

The mere *possession* of a book, either in manuscript or printed form, does not of itself give the possessor the privilege of copyright registration.

#### DEPOSIT OF COPIES.

The second step required to be taken to complete a copyright is the deposit of *two* copies of the article for which the title has been recorded. This should be made before the publication or distribution of any copies of the article, the law explicitly providing that

Deposit of copies.

"No person shall be entitled to a copyright unless he shall also, not later than the day of the publication thereof, in this or any foreign country, deliver at the office of the Librarian of Congress, at Washington, District of Columbia, or deposit in the mail, within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, two copies of such copyright book, map, chart, dramatic or musical composition, engraving, chromo, cut, print, or photograph, or in case of a painting, drawing, statue, statuary, model, or design for a work of the fine arts, a photograph of the same."

Must be before publication.

Penalty for non-compliance, \$25.

Unless this deposit is made, a penalty of \$25 is incurred.

TWO copies required.

Two copies are required, and they must be complete copies of the best edition. The explicit words of the Revised Statutes (section 4959) are: "Two complete printed copies thereof, of the best edition issued."

Books, photographs, chromos, and lithographs must be made in the United States.

In the case of books, the copies must be printed from type set within the limits of the United States. Photographs must be prints from negatives made in the United States, and chromos and lithographs from drawings on stone or transfers therefrom made in the United States.

Book published in periodical.

When a book is published serially in a periodical, two copies of each number of the *magazine* containing it should be deposited, and if afterwards published as a complete work, then two copies of the completed book should be deposited.

One copy of new edition required.

In the case of a *new edition* the law requires the deposit of *one* copy.

When sending the copies, please see that they are plainly marked with the distinguishing title of the article and the name and address of the sender. It is impossible to keep track of articles not bearing titles or other distinguishing marks in an office receiving more than two thousand articles each week. In any letter referring to an article sent for deposit, please name or describe the article fully and exactly.

Regarding the deposit of plays, see page 15.

All articles, such as photographs, engravings, etc., sent for deposit, should bear a distinguishing title, number, or mark. In the case of a series of photographs of the same subject, each pose should have some distinguishing mark.

Deposits can be mailed free.

These articles for copyright deposit can be sent *free* by mail (without limit of weight), if the printed Penalty Labels, furnished upon request by the Register of Copyrights, are used.

The articles should be addressed: "The Librarian of Congress, Copyright Office, Library of Congress, Washington, D. C."

#### MANUSCRIPTS OR OTHER ORIGINAL ARTICLES.

Manuscripts should not be sent.

Manuscripts can not be accepted as deposits to complete copyright, and should not be sent to the Copyright Office. No original drawings, paintings, or

statuary, or models for pottery, porcelain, or glassware; nor any original articles or devices, such as models for games, puzzles, etc., should be sent to the Copyright Office.

#### RECEIPT FOR COPIES DEPOSITED.

By special provision of Congress, all articles deposited in the Library of Congress, Copyright Office, to complete entries of copyright, are catalogued and the titles published in the weekly publication entitled "Catalogue of title entries of books and other articles entered in the office of the Register of Copyrights, Library of Congress, at Washington, D. C., under the copyright law, wherein the copyright has been completed by the deposit of two copies." In this publication are given: The title of the article deposited; the name of the claimant of copyright; the date and entry number of the record of claim of copyright; and the number and date of the deposit of the copies sent to complete the copyright.

Receipt for copies deposited.

This printed publication, therefore, is equivalent to a published receipt for copies deposited to complete copyright, and is the only form of receipt which the office is authorized by law to give; except that a certified receipt can be given upon payment of the legal fee of 50 cents and one uncanceled 10-cent internal-revenue stamp.

Catalogue entry equivalent to receipt for deposit.

If for special reasons, however, receipts for the deposit of copies are required, they can be given, provided a blank receipt form is properly filled out by the sender of the article, ready for dating and signing; and provided it is sent with the two copies of the article required by law to be delivered.

Special receipt given.

These blank receipt forms will be supplied on request, and they should be so fully and carefully filled out that no question of identity can arise; otherwise no receipt can be furnished.

Blank receipt forms.

#### NOTICE OF COPYRIGHT.

The third step requisite to secure any valid copyright is the printing of the claim of copyright on each copy of the article protected. No copyright can be protected against infringement unless the notice prescribed by law is inserted in every copy produced.

Notice of copyright.

Notice, form of. The wording of the notice is determined by the copyright statute, and must be one or other of these two forms:

a. **Entered according to Act of Congress, in the year** \_\_\_\_\_, **by** \_\_\_\_\_, **in the** \_\_\_\_\_  
(Here insert date.) (Here insert full name of claimant.)  
**Office of the Librarian of Congress, at Washington; or,**

b. **Copyright,** \_\_\_\_\_, **by** \_\_\_\_\_  
(Here insert year.) (Here insert full name of claimant.)

Notice, where printed. In the case of a book, the law prescribes that this notice shall be printed on the title-page, or the page immediately following; and in the case of other articles copyrighted the notice must be inscribed on some visible portion thereof, or of the substance on which

Date of notice. the same shall be mounted. The date given in the copyright notice should agree with the year date of the entry of the title upon the records of the Copyright Office, and the name of the copyright claimant, as printed, should agree with the name recorded as proprietor of the copyright. A variance between the

Variance in claim of copyright. claim as recorded and as printed upon the article would cast a doubt upon the validity of the copyright; hence care should be used to see that they agree.

#### PENALTY FOR FALSE NOTICE OF COPYRIGHT.

False notice of copyright. Penalty \$100. The law imposes a penalty of \$100 upon any person who shall insert the notice of copyright, or words of the same purport, upon any book or other article which has not been copyrighted, whether such article be subject to copyright or otherwise; or who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in the United States; or who shall import any book, photograph, chromo or lithograph, or other article bearing such notice of copyright or words of the same purport, which is not copyrighted in this country.

Importation of articles bearing false claims.

#### COPYRIGHT FEES.

Copyright fee. The copyright fees prescribed by law are as follows:

Fee for citizen. For recording each title of a book, or other article, the production of a citizen or resident of the United States, the charge is fifty (50) cents. If a certificate of copyright (i. e., a certificate of the entry of the title) is desired, there is an additional charge of fifty



(50) cents, or \$1 in all. When a certificate is ordered, there should also be sent one uncanceled 10-cent internal-revenue stamp, to be canceled and attached thereto in the Copyright Office.

For recording each title of a book, or other work, the production of a person *not* a citizen or resident of the United States, the charge is \$1. This fee of \$1 is required to be paid for recording the title of every work whose original *author* or producer is "a person not a citizen or resident of the United States," whether the proprietor of the copyright is or is not a citizen or resident of the United States. A certificate of such record requires the payment of fifty (50) cents additional, or \$1.50 in all. In this case, also, if a certificate is desired, one uncanceled 10-cent internal-revenue stamp should be forwarded with the application.

For for foreigner.

For every copy under seal of the record of entry of any title, the charge is fifty (50) cents, and one uncanceled 10-cent internal-revenue stamp.

Copy of record.

For a certified receipt for the deposit of the two copies required by law, the charge is fifty (50) cents, and one uncanceled 10-cent internal-revenue stamp.

Receipt for deposits.

For recording and certifying any instrument of writing for the assignment of a copyright, of ordinary length, the charge is \$1; and for each copy of an assignment, \$1; with, in each case, one uncanceled 10-cent internal-revenue stamp.

Assignment.

Each and every certificate issued by the Copyright Office now requires to have attached to it a 10-cent internal-revenue stamp. This stamp should, in all cases, be sent uncanceled, and should be *pinned*, not stuck, to the application or letter.

Revenue stamps.

It is optional with the copyright applicant to pay the fee for a certificate at the time of entry of title.

Certificate of copyright.

A certificate of copyright is convenient *prima facie* evidence of copyright entry; but this document can be had in the form of a certified *copy of record* at any time subsequent to the registration of title.

*Do not send any revenue stamps unless certificates are desired*; and in no case should any postage stamps or stamped envelopes be sent for reply, as all Copyright-Office mail is forwarded under a Government frank.

All remittances should be by *money order* or *express order*, payable to the REGISTER OF COPYRIGHTS.

Remittances.

No money (currency) should be placed in any package of books, music, or other matter sent to the Copyright Office, and all remitters are respectfully urged to take care to send an identifiable remittance. Postage stamps should not be sent as fees.

#### TERMS OF COPYRIGHT AND RENEWAL.

Term of copyright.

The first term of copyright is for twenty-eight years from the time of recording the title in the Copyright Office. *The title is recorded on the day of its receipt in the Copyright Office*, in accordance with the provisions of the copyright statutes, and no date *prior* to the day of receipt can be given to the entry of title.

Renewal.

*Within six months before the expiration of the first term of copyright*, the copyright statutes provide (Revised Statutes, section 4954) that the author, if he be still living, or his widow or children, if he be dead, can have the copyright continued for a further term of fourteen years. This renewal requires the filing of the title a second time, and the deposit of the two copies, exactly the same as in the case of an original

Publication of certificate.

of a renewal a certificate is obligatory, and this certificate must be published, for the space of four weeks, in some one or more newspapers printed in the United States. This publication of the certificate of renewal must take place within two months from its date.

#### ASSIGNMENT OF COPYRIGHTS.

Assignment of copyright.

Copyrights are assignable in law by any instrument of writing. This should state the names of the assignee and the assignor, the title of the book or other article assigned; should contain a statement of "valuable consideration," and should be dated. Every assignment must be recorded in the Copyright Office within sixty days after its execution, "in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice." (Revised Statutes, sec. 4955.)

Must be recorded.

Fee for recording assignment.

The fee for recording and certifying any instrument of writing for the assignment of a copyright, of ordinary length, is \$1, and one uncanceled *ten-cent* internal-revenue stamp. The same fee is prescribed by law for each copy of an assignment.

Fee for copy of assignment.

## PUBLICATION AFTER ENTRY OF TITLE.

The time of publication of any work of which the title has been recorded is not limited by the statute, but the courts have intimated that the publication should take place within a "reasonable time." The United States copyright law makes no special provision for an interim copyright, and the inchoate right secured by the filing of the title-page prior to publication has not been determined; but the entry of the title, either of a book, periodical, or other publication subject to copyright, does not secure a monopoly in the use of such title. The title is only protected as an integral part of the work which it designates, hence only the titles of specific publications are subject to copyright registration.

Publication after entry.

Registration of title gives no monopoly of use.

## TRANSLATION AND DRAMATIZATION.

The act of March 3, 1891 (51st Congress, 2d session, chapter 565, section 1: Statutes at Large, vol. 26, p. 1107), provides that "authors or their assigns shall have *exclusive* right to dramatize and translate any of their works for which copyright shall have been obtained under the laws of the United States."

Translation and dramatization.

Translations authorized by the authors or proprietors of copyrighted works, and translations of non-copyrighted books, are subject to registration in the Copyright Office as original productions, and application for copyright registration should be made as for an original work.

Translations.

Dramatic compositions should be applied for upon printed or typewritten titles, as in the case of other literary compositions. It has been the practice of the Copyright Office to receive and credit, at the responsibility of the claimant, two *typewritten* copies of a drama, but by a recent decision of the courts it is held that such a deposit of typewritten copies is not a compliance with the copyright law. Under these circumstances the safer course to pursue is to file *printed* copies.

Dramatic compositions.

Deposit of copies of drama.

## PERIODICALS.

The general title of a newspaper or periodical, apart from the contents, can not be registered for protection under the copyright law. *Each number*, therefore, of a

Periodicals.

Each number requires separate entry.

periodical should be entered by its title, distinguished by a statement of the volume, number, and date of the issue. Application can be made for the entry, in advance, of a number of issues, by sending the printed title heading with the variations as to volume, number, and date written in, each issue requiring a separate fee. The entry of title should *precede publication*, and *two* copies of each issue should be sent to the Library of Congress, *Copyright Office*, at the earliest moment after printing. Owing to the difficulty of insuring the receipt of the two copies of a newspaper in the Library of Congress *on or before the day of publication*, as required by law, it is a desirable precaution to obtain the postmaster's receipt, to serve, in case of need, as evidence of the mailing of the two copies "on or before the day of publication."

Postmaster's receipt for mailing of two copies should be taken.

Variance in claim should be avoided.

Care should be taken, in applying, that the name of the copyright claimant is stated in the same form as it is intended to print it in the notice of copyright required to be printed on each paper.

#### INTERNATIONAL COPYRIGHT.

International copyright.

By the act of March 3, 1891, which went into effect on July 1 of the same year, the United States Congress, by textual amendment of the then existing copyright law, removed the limitation of the privilege of copyright to citizens of the United States, and made it possible for foreign authors to obtain copyright in the United States upon the same terms as native authors, except that the fee for entry in the case of the production of a foreigner is double. Congress, however, distinctly provided that the copyright privileges secured by the act should "only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as [to] its own citizens; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement."

Copyright privileges extended to citizens of certain countries only.

Foreign authors may obtain copyright in U. S.

Under the operation of this provision, the privileges of copyright in the United States have been extended



by Presidential proclamations to the authors of Belgium, Chile, Costa Rica, Denmark, France, Germany, Great Britain and her possessions (Australia, Canada, India, etc.), Italy, Mexico, Netherlands (Holland) and possessions, Portugal, Spain, and Switzerland.

The authors, artists, composers, etc., of the countries named, therefore, and their assigns, as copyright proprietors, can obtain copyright protection for their works in the United States upon the same stipulations as those which apply to American authors, and the foregoing directions for obtaining copyright protection should be followed in the case of foreign works exactly as in the case of American works.

Application for foreign works should be made as in the case of American works.

#### SPAIN.

The war with Spain suspended the privilege of copyright in the United States for the productions of Spanish subjects. Concerning the renewal of the privilege, the Attorney General expressed the following opinion, under date of December 2, 1898: "When a treaty of peace shall have been finally concluded, their rights will be determined either by the provisions of the treaty or, if the treaty be silent, it will be competent for the United States, through its executive officers, to resume the exercise of such rights and privileges as previously existed and have not been definitively declared terminated. So that if the treaty be silent with reference to copyright, it would, in my opinion, be entirely proper for the Librarian of Congress to admit Spanish subjects, after the conclusion and ratification of the treaty, to the same copyright privileges that they enjoyed prior to the declaration of war." Under the above opinion of the Attorney General, registration of titles of works by citizens of Spain has been resumed since April 11, 1899.

Spain, copyright relations suspended during war.

Renewal of copyright privileges.

Copyright relations renewed.

#### HAWAII, PORTO RICO, CUBA, AND THE PHILIPPINES.

In regard to the privilege of copyright in the United States on behalf of the natives of Hawaii, Porto Rico, Cuba, and the Philippines, the opinion of the Attorney General, December 2, 1898, was as follows:

Hawaii, Porto Rico, Cuba, and the Philippines.

"It appears that the subjects of Hawaii had not prior to the passage of the resolution of annexation of July 7, 1898, become vested by proclamation with the

Opinion of Attorney General.

privilege of copyright in the United States. I have heretofore held, in an opinion, that certain laws of the United States relative to tonnage dues upon vessels from foreign ports still applied to the ports of Hawaii, and had not been abrogated by the terms or effect of the resolution of annexation. For the reasons given in that opinion, I think that the inhabitants of Hawaii are not at present, in the absence of affirmative legislation by Congress to that effect, entitled to the benefits of our copyright laws.

"Puerto Rico, Cuba, and Manila have not as yet been formally ceded to the United States. So far as they are subject to the control and government of this country they are ruled under the principle of belligerent right. They have not become entitled to the rights and privileges of citizens of the United States. In my opinion, when they shall have been directly ceded by treaty to the United States, and such treaty duly ratified by the Senate, their respective inhabitants will not be entitled to the benefits of the copyright laws unless the treaty, by its terms, confers such right, or Congress shall afterwards extend such laws to the inhabitants of those countries."

#### PORTO RICO AND HAWAII.

Porto Rico and Hawaii.

Since the above opinion of the Attorney General was written an "Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," was approved April 12, 1900, to go into effect on May 1; and an "Act to provide a government for the Territory of Hawaii," was approved April 30, 1900, to take effect on June 14. Under the provisions of these acts, the titles of books and other articles by citizens of Porto Rico and Hawaii have been registered in the Copyright Office since May 1 and June 14, respectively, as a preliminary to copyright protection.

#### COPYRIGHT IN FOREIGN COUNTRIES.

Foreign copy-rights.

The benefits of copyright are available for the productions of American citizens in the countries named above (p. 17), but only as they are available to the citizens of such countries. That is to say, citizens of the United States can obtain copyright abroad in the countries named, and in such other countries as by

their laws grant copyright privileges to aliens, by taking the steps required by the laws and regulations in force in each country. Application should be made to the copyright bureau, or government officer charged with the administration of copyright business in each case. Owing to the diversity of the requirements, and the necessity of complying exactly with the law and the departmental regulations, the practical way is to secure the services of an agent or publisher abroad.

Application should be made to the foreign copyright bureaus.

As the United States is not a party to the International Copyright Union, copyright protection is not secured abroad by virtue of copyright registration in this country. *Entry of copyright at Washington gives protection to the copyright only within the United States.* Moreover, the copyright department of the Library of Congress has no official functions as regards the securing of copyrights abroad, and can take no action regarding such foreign copyright protection.

United States not a member of International Copyright Union.

#### ARTICLES NOT SUBJECT TO COPYRIGHT REGISTRATION.

The following articles, frequently applied for, are not subject to copyright registration under the copyright law and decisions of the courts:

Articles not subject to copyright registration.

Account books.	Campaign medals.
Advertisements.	Cards (identification).
Advertising devices.	Cards (playing).
Advertising novelties.	Cards (postal).
Albums.	Cards (score).
Articles of manufacture.	Catchwords.
Articles subject to patents for designs.	Checks.
	China.
	Coats of arms.
Badges.	Coined words or names.
Ballots.	Contracts.
Bank notes.	Corporations.
Banners.	Coupons, or coupon systems.
Betting books.	Crests.
Blank agreements.	Crockery.
Blank books.	Cuts for advertisements.
Blank cards.	Cuts for articles of manufacture.
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Blank price lists.	Dances.
Book covers.	Decorative articles.
Books for minutes of societies.	Designs for badges or buttons, etc.
Bonds.	Devices.
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Ornamental articles.	Wrappers for articles to be sold.	

Ideas, methods,  
etc., not subject to  
copyright.Ideas, methods, schemes, and systems as such are 50  
not subject to registration for copyright protection.



## LABELS AND PRINTS FOR ARTICLES OF MANUFACTURE.

Labels are not entered for copyright in the Library of Congress, but under the operation of the act of June 18, 1874, are required to be registered at the Patent Office. This act also defines the words "print," "cut," and "engraving," as used in the copyright law, as only applicable to pictorial illustrations or works connected with the fine arts. Only such prints or engravings, therefore, as are intended to be used as illustrations of a book, or which are of a distinctly artistic nature, such as are sold, used, or exchanged for their artistic value, are registrable in this office; and by the above act is relegated to the Patent Office "all registry in the general nature of, or akin to, copyright of things which are mere adjuncts or appurtenances of articles of trade." (See *ex parte* Heinz Co. Official Gazette, Patent Office, v. 62, p. 1064.)

Labels and prints.

The last edition of the "Rules of the Patent Office" contains the following information regarding the registration of prints for copyright in the Patent Office, under the operation of the act of June 18, 1874:

Patent office rules.

"The word 'print,' as used in this act, so far as it relates to registration in the Patent Office, is defined as an artistic representation or intellectual production not borne by an article of manufacture or vendible commodity, but in some fashion pertaining thereto—such, for instance, as an advertisement thereof.

"By the words 'articles of manufacture' (to which such print is applicable by this act), is meant all vendible commodities produced by hand, machinery, or art.

"No print can be registered unless it properly belongs to an article of commerce and is as above defined.

"To entitle the proprietor of any such print to register the same in the Patent Office the application for the registration thereof must be made to the Commissioner of Patents, and said application should be signed by the proprietor or his agent. There must also be filed in the Patent Office five copies of the print, one of which, when the print is registered, shall be certified under the seal of the Commissioner of Patents and returned to the proprietor.

"Before a print certificate will be delivered the applicant must furnish a revenue stamp to the value of 10

cents, to be affixed thereto and canceled, as required by the 'Act to provide ways and means to meet war expenditures, and for other purposes,' approved June 13, 1898.

"The certificate of such registration will continue in force for twenty-eight years.

Renewal of copy-  
right of print.

"The certificate may be continued for a further term of fourteen years upon filing a second application within six months before the expiration of the term of the original certificate, and complying with all other regulations with regard to original applications. Within two months from the date of said renewal, the applicant must cause a copy of the record thereof to be published for four weeks in one or more newspapers printed in the United States. The fee for registration of a print or label is \$6."

#### BLANK BOOKS AND BLANK FORMS.

Blank book.

The term "book," as used in the copyright law to designate an article subject to copyright protection, means a book in the literary sense, and not in the material sense alone. A single sheet, if a literary composition, may be termed a book in applying for copyright registration, but printed productions which are partly unfinished, or with arranged spaces to be filled in, such as blank forms, account books, ledgers, memorandum books, diaries, time and score books, etc., are not productions which can be designated "books," and registered as such for copyright protection. The book whose title can be recorded for copyright protection must be a completed literary production, each copy of which is alike, and not a work with blank spaces such that each copy when completed is different from another copy. It was held in the case of *Everson vs. The Librarian of Congress* that the latter official could not be required to record the title of a book of blank forms as a preliminary to copyright protection, and the decision in that case is held to be ruling upon the Copyright Office to exclude from registration all articles such as are described above.

#### COPYRIGHT OFFICE AN OFFICE OF RECORD.

Copyright Office  
an office of record.

The Copyright Office is purely an office of record; it does not "issue" a copyright, but merely records a

claim to copyright protection. The copyright statutes explicitly state how the claim is to be recorded; namely, in the following words:

“Library of Congress, to wit:

5 Be it remembered that on the                      day of  
A. B., of                      hath deposited in this office  
the title of a book, (map, chart, or otherwise, as the  
case may be, or description of the article), the title  
or description of which is in the following words, to  
10 wit: (here insert the title or description,) the right  
whereof he claims as author, (originator, or proprie-  
tor, as the case may be,) in conformity with the laws  
of the United States respecting copyrights.” Whether  
a compliance with the statutory provisions as to regis-  
5 tration of title, deposit of copies, and publication of  
notice of copyright secures a valid protection depends  
upon facts which the Copyright Office has no authority  
to weigh or consider. Every application received,  
properly made out, and for an article named in the  
10 copyright law as subject to copyright protection, if  
accompanied with the prescribed fee, is registered in  
its turn, and the office is not permitted to give any  
consideration to conflicting claims. Duplicate appli-  
cations in behalf of the same person, if detected, are  
5 not registered, but the duplicate fee is returned. The  
office can not, however, undertake to identify all dupli-  
cate applications, as doing so would cost the Govern-  
ment more than the result would justify. The appli-  
cation form issued by the office is printed in copying  
10 ink, so as to enable each applicant to keep press copies  
of all applications made. A record once made cannot  
be altered or annulled, nor can the fee applied for any  
record be refunded or used for any other registration.

All applications  
recorded.





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Description of, must be filed .....	7	5
Photograph of, should be deposited .....	7	5
"Model" should be used only in connection with a work of the fine arts—i. e., sculpture .....	4	20
Musical composition:		
May be copyrighted .....	4	5
Author or proprietor of, may secure copyright registration ..	9	5
Printed title of, must be filed .....	7	5
Two copies of, must be deposited .....	9	40
Different arrangement of, requires separate entry .....	8	40
Title for filing .....	7	30
Name:		
Of copyright claimant required to be stated in application...	5	5
Fictitious, can not be used in applying for copyright registration .....	5	15
Names:		
Business, not subject to copyright registration .....	20	
Coined, not subject to copyright registration .....	20	
Of articles not subject to copyright registration .....	20	
Of company not subject to copyright registration .....	20	
Of corporations not subject to copyright registration .....	20	
Of libraries not subject to copyright registration .....	20	
Of medicines not subject to copyright registration .....	20	
Of products not subject to copyright registration .....	20	
Of substances not subject to copyright registration .....	20	
Professional, not subject to copyright registration .....	20	
Stage, not subject to copyright registration .....	20	
Nationality of author required to be stated when applying for copyright registration .....	4	35
Nature of article to be copyrighted required to be stated .....	3	25
Negatives, photographic:		
May be copyrighted .....	4	5
Author or proprietor of, may secure copyright registration ..	9	5
New edition of copyrighted work requires deposit of one copy...	7	5
Nom de plume can not be used in making application for copyright.	5	15
Notes, promissory, not subject to copyright registration .....	20	
Notice of copyright:		
Form of .....	12	5
Must be inserted in each copy .....	11	40
Penalty for false, \$100 .....	13	25
Novelties not subject to copyright registration .....	20	
One parcel should be made of application, fee, title, and two copies.	2	

	Page.	Line.
Ophthalmic test cards not subject to copyright registration.....	20	
Original articles (drawings, paintings, statuary, etc.) should <i>not</i> be sent to Copyright Office .....	10	40
Ornamental articles not subject to copyright registration.....	20	
Pads not subject to copyright registration .....	20	
Painting:		
May be copyrighted .....	4	3
Author or proprietor of, may secure copyright registration ..	9	5
Description of, must be filed .....	8	20
Photograph of, must be deposited .....	8	20
Paper hangings not subject to copyright registration .....	20	
Paper weights not subject to copyright registration .....	20	
Pass books not subject to copyright registration.....	20	
Patent Office, labels may be registered in .....	21	10
Patterns not subject to copyright registration.....	20	
Pedigree blanks not subject to copyright registration .....	20	
Penalty:		
For failure to make deposit of copies, \$25 .....	10	5
For false claim of copyright, \$100.....	12	25
Periodical, each number of, requires separate entry .....	8	35
Philippines .....	18	10
Photograph:		
May be copyrighted .....	4	5
Author or proprietor of, may secure copyright registration ..	9	5
Printed title of, must be filed.....	7	5
Two copies of, must be deposited .....	9	40
Copies deposited must be printed from negatives made in United States .....	10	5
Each pose requires separate entry .....	9	5
Should bear title, distinguishing mark or name, and name and address of sender .....	2	
Applications for copyright of, should state whether made in United States .....	4	30
Photographic negative:		
May be copyrighted .....	4	5
Author or proprietor of, may secure copyright registration ..	9	5
Phrases of words not subject to copyright.....	20	
"Picture" should not be used when applying for copyright.....	4	10
Play should be applied for as "Dramatic composition" .....	4	25
Porto Rico.....	18	10, 25
Postal cards not subject to copyright registration .....	20	
Pottery not subject to copyright registration.....	20	
Print:		
Statutory definition of.....	21	5
May be copyrighted .....	4	5
Author, designer, or proprietor of, may secure copyright.....	9	5
Printed title of, must be filed.....	7	5
Two copies of, must be deposited .....	9	40
For article of manufacture, not copyrightable.....	21	5
May be registered at Patent Office .....	21	10
"Print" should not be used merely to designate something printed..	4	20
Printed copies must be deposited .....	10	5
Printed from type set within the United States .....	4	20



	Page.	Line.
Printed title must be filed .....	5	40
Professional names not subject to copyright registration .....	20	
Promissory notes not subject to copyright registration .....	20	
Proprietor may secure copyright <u>as assignee of author</u> .....	9	10
Pseudonym can not be used in making application for copyright .....	5	15
Public documents not subject to copyright registration .....	20	
Publication:		
Must be within a "reasonable time" after entry of title .....	15	5
Of copyright renewal required .....	14	15
Term "publication" should not be used when applying for copyright registration .....	4	10
Puzzles not subject to copyright registration .....	20	
Real name of copyright claimant required to be stated .....	5	15
Receipt for copies deposited .....	11	5
Receipt form, blank:		
Should be filled up .....	11	25
Supplied upon request .....	11	30
Record books not subject to copyright registration .....	20	
Regalia not subject to copyright registration .....	20	
Registration once made can not be corrected or annulled .....	22	30
Remittances should be made by money order or express order .....	13	45
Renewal of copyright:		
For fourteen years .....	14	15
Must be made within six months prior to expiration of first term of copyright .....	14	15
Publication of, required .....	14	25
Must be within two months of entry .....	14	25
"Reproduction" should not be used when applying for copyright .....	4	10
Return postage should not be sent .....	3	10
Revenue stamp (10 cents) required on each Copyright Office cer- tificate .....	13	30
Should be <u>pinned</u> to application or notification card .....	13	30
Should <i>not</i> be sent unless certificate is actually paid for .....	13	40
Right to dramatize or translate the exclusive right of authors .....	15	15
Scenery not subject to copyright registration .....	20	
Score books not subject to copyright registration .....	20	
Scrapbooks not subject to copyright registration .....	20	
Scrolls not subject to copyright registration .....	20	
Seals not subject to copyright registration .....	20	
Signs not subject to copyright registration .....	20	
Song, when applying for copyright of words of, should designate it a "book" .....	4	10
Spain .....	17	15
Specialty act not subject to copyright registration .....	20	
Stage business not subject to copyright registration .....	20	
Stage curtains not subject to copyright registration .....	20	
Stage scenes not subject to copyright registration .....	20	
Stamp. (See Revenue stamp.)		
Stamped envelope for return postage should not be sent .....	3	10
Stamps not subject to copyright registration .....	20	
Stamps (postage) should not be sent as copyright fees .....	14	5
Should not be sent for return postage .....	3	10

Statuary:	Page.	Li.
May be copyrighted .....	4	5
Author, inventor, designer, or proprietor of, may secure copy- right registration .....	9	5
Description of, must be filed .....	8	10
Photograph of, must be deposited .....	8	20
Statue:		
May be copyrighted .....	4	5
Author, designer, or proprietor of, may secure copyright .....	9	5
Description of, must be filed .....	8	20
Photograph of, must be deposited .....	8	20
"Stickers" not subject to copyright registration .....	20	
Systems not subject to copyright registration .....	20	
Tablets not subject to copyright registration .....	20	
Term of copyright, twenty-eight years .....	14	5
Renewal of, for fourteen years .....	14	10
Test cards not subject to copyright registration .....	20	
Tickets not subject to copyright registration .....	20	
Time books not subject to copyright registration .....	20	
Title:		
Filing of .....	7	5
Of music .....	7	35
Must be on or before day of publication .....	8	10
Printed or type written, must be filed .....	7	5
Written, can not be accepted .....	7	25
Send no, unaccompanied by fee for recording .....	2	
Titles, as such, not subject to copyright registration .....	20	
Titles of libraries not subject to copyright registration .....	20	
Titles of series not subject to copyright registration .....	20	
Trade-marks not subject to copyright registration .....	20	
Translation, right of, exclusive property of author .....	15	15
Translations subject to copyright registration .....	15	25
Translator may obtain copyright registration .....	9	15
Trustee, name of, can be used in making application for copyright .....	5	25
Two copies of each article required to be deposited .....	9	40
Type set within the United States, books must be printed from .....	10	5
Utensils not subject to copyright registration .....	20	
Volume, each, of book requires separate copyright entry .....	8	35
Who may secure copyright registration .....	9	5
Words, coined, not subject to copyright registration .....	20	
Words or phrases not subject to copyright registration .....	20	
"Work of art" should not be used when applying for copyright .....	4	10
Works in more than one volume .....	8	35
Wrappers not subject to copyright registration .....	20	

## **IN THE PRESS.**

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### **BULLETIN, No. 1.**

#### **COPYRIGHT LAW.**

A compilation of all the United States copyright laws in force. Fourth, revised edition to July, 1900.

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### **BULLETIN, No. 3.**

#### **COPYRIGHT ENACTMENTS, 1788-1900.**

A compilation of all United States copyright enactments, from 1788 to 1900, is being printed, and will contain: the Copyright Laws of the Original States, 1788-1786; full texts of all public and private Acts of Congress relating to copyright, 1790-1900; the texts of all the Presidential Proclamations relating to the extension of copyright privileges in the United States to foreigners, 1891-1900, and an index.

### **BULLETIN, No. 4, PART I.**

#### **INTERNATIONAL COPYRIGHT UNION.**

Full text of the International Copyright Convention of September 9, 1886, with the text of the additional stipulations, signed at Paris, May 4, 1896.

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### **BULLETIN, No. 4, PART II.**

#### **COPYRIGHT REGISTRATION IN ENGLAND.**

A reprint of the official circulars of the Copyright Office, Stationers' Hall, London, relating to the registration of copyrights in Great Britain.

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### **BULLETIN, No. 4, PART III.**

#### **COPYRIGHT IN CANADA.**

The text of the copyright law of Canada, and of the "Rules and Forms" issued by the Canadian Copyright Bureau in relation to copyright registration in Canada.

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- (1) Books proper.
- (2) Miscellaneous, Leaflets, etc.
- (3) Newspaper and Magazine articles.

II. Dramatic Compositions.

III. Periodicals.

IV. Musical compositions and Collections of Music.

V. Maps and Charts.

VI. Engravings, Cuts, and Prints.

VII. Chromos and Lithographa.

VIII. Photographs.

IX. Fine Arts (a list of the photographs deposited with applications for copyright of paintings, drawings, statuary, and models or designs intended to be perfected as works of the fine arts).

X. Index of Copyright Proprietors.

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